

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL WRIT PETITION NO. 1044 OF 2015

Keshav Bhiku Mane & Anr.

.. Petitioners

v/s.

The State of Maharashtra & Anr.

..Respondents

Mr. D.D. Ranaware for the petitioners

Mr. Rahul M. More for respondent no.2.

Mrs. S.V. Sonawane, APP for the respondent State

**CORAM: RANJIT MORE &
SMT. ANUJA PRABHUDESSAI, JJ.**

DATED: 18th MARCH, 2015.

PC.

1. Heard learned Counsel for the respective parties. Leave to amend is granted so as to mention the age of respondent no.2. Necessary amendment be carried out forthwith.

2. This petition is filed under Article 226 of the Constitution of India under the provisions of Section 482 of the Cr.P.C. for quashing of FIR being C.R. No.321 of 2014, registered with N.M. Joshi Marg Police Station, Mumbai against the petitioner at the

instance of respondent no.2 for the offence punishable under Section 408 of the IPC.

3. Meanwhile, the parties have settled their dispute amicably and in pursuance of the understandings arrived at between them, they have filed the present writ petition for quashing the said FIR, by consent. The respondent no.2 has filed an affidavit dated 17th March, 2015. In paragraph 4 of the affidavit, he has given no objection and consented to quash the above referred FIR, dated 27th November, 2014, Registered with N.M. Marg Police Station, Mumbai. Respondent no.2 is personally present in the Court. On specific query made by us, he submitted that he has no objection for quashing the FIR and consequential criminal proceedings.

4. We are of the view that the dispute is of personal nature and the ratio in the case of *Narinder Singh Vs. State of Punjab (2014) AIR SCW 2065* would squarely apply to the facts of the present case and as such there is no impediment in quashing the

criminal complaint.

5. Accordingly, the Writ Petition is made absolute in terms of prayer clause (b), subject to the petitioners to pay costs of Rs.10,000/- to Shanti Avedna Sadan, Mount Mary Road, Bandra (W), Mumbai. Cost is condition precedence.

(ANUJA PRABHUDESSAI, J.)

(RANJIT MORE, J.)